

STATE OF VERMONT
PUBLIC SERVICE BOARD

CPG #NM-517

Application of the Town of Bennington Water)
Treatment Plant for a certificate of public good for)
an interconnected net metered hydroelectric)
generation system)

Order entered: 1/28/2009

I. INTRODUCTION

This case involves an application filed by the Town of Bennington Water Treatment Plant ("Applicant") on January 26, 2009, requesting a certificate of public good ("CPG") pursuant to 30 V.S.A. §§ 219a and 248 and Vermont Public Service Board ("Board") Rule 5.100, for a net metering system.¹ The net metering system consists of a hydroelectric generator.

Notice of the application in this docket was sent by the Applicant to all parties as specified in the Board's Rule 5.100 on July 22, 2008. The notice stated that any party wishing to submit comments or request a hearing in this matter needed to file comments with the Board within thirty (30) days of the date that the notice of the application was sent.

On July 30, 2008, Central Vermont Public Service Corporation ("CVPS") filed comments on the application requesting an opportunity to consult with the Applicant prior to issuance of a CPG for the project. On September 29, 2008, CVPS filed a letter with the Board stating that it had consulted with the Applicant and does not believe a hearing in this matter is necessary. CVPS also requested that the CPG be conditioned on the project's compliance with applicable interconnection standards.

No comments have been received from any other parties or interested persons.

The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a and 248 and the Board's Rule 5.100, a CPG should be issued without further investigation or hearing.

1. The application was initially filed on July 23, 2008, but was not completed until January 26, 2009.

II. FINDINGS

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

1. The proposed net metering project is located on property owned by the Applicant at 205 South Street in Bennington, Vermont. Application at Section 1 and Attachment.

2. The system will be installed in parallel with the existing inlet pipe, immediately prior to the water treatment tanks within the municipal water supply building. Application at Section 6.

3. The proposed project consists of a hydroelectric system with a system-rated power output of 15 kW AC. The facility will be interconnected with the CVPS electrical distribution system. Application at Section 6, and Attachment.

4. Applicant has certified that the project is in compliance with all of the provisions of Sections 3 and 8 of the application. Based on these submissions, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Sections 3 and 8.

5. Applicant has certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

6. Applicant has provided copies of the necessary state and federal approvals for the project. Specifically, the Applicant has provided an Exemption for Small Conduit Hydroelectric from the Federal Energy Regulatory Commission and a waiver of certification under 33 U.S.C. § 1341 from the Vermont Department of Environmental Conservation. Application at Section 6 and Attachments.

III. CONCLUSION

In Docket No. 6181,² the Board developed a net metering program in accordance with the statutory requirements of 30 V.S.A. § 219a. This program was further refined by the Board with the adoption of Board Rule 5.100. The goals of the Order and Rule are to encourage private

2. Investigation into the Use of A Net Metering System for the Purchase and Sale of Electricity from Small Electrical Generating Systems to and from Electric Companies, Docket No. 6181, April 21, 1999.

investment in renewable energy resources, stimulate the economic growth of the state and enhance the continued diversification of energy sources used in Vermont. The standards and requirements adopted in the Order and Rule have been determined by the Board to protect public safety and system reliability.

Based upon the findings and evidence, the proposed net metering project will be in compliance with the requirements of the Board's Order in Docket No. 6181 and Rule 5.100, the application does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the state.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that the proposed wind turbine net metering system, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont pursuant to 30 V.S.A. § 219a, and a certificate of public good to that effect shall be issued in this matter, pursuant to 30 V.S.A. §§ 219a and 248.

DATED at Montpelier, Vermont, this 28th day of January, 2009.

s/James Volz)

) PUBLIC SERVICE

s/David C. Coen)

) BOARD

s/John D. Burke)

) OF VERMONT

OFFICE OF THE CLERK

Filed: January 28, 2009

Attest: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.